

U.S. Department of Labor

Solicitor of Labor
Washington, D.C. 20210



January 30, 2019

HAND DELIVERED and FIRST CLASS MAIL

Mr. Thomas Shepherd
Clerk of the Appellate Boards
U.S. Department of Labor
200 Constitution Ave, N.W.
Room S-5220
Washington, D.C. 20210

Re: *OFCCP v. Google, Inc.*,
ARB Case No. 17-059; ALJ Case No. 2017-OFC-004

Dear Mr. Shepherd:

Enclosed for filing is Plaintiff-Appellant OFCCP's Motion for Voluntary Dismissal of Appeal and Proposed Order in the above-captioned matter. These documents will be served today on those copied below via first class mail.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Lupardo".

Jeffrey M. Lupardo
Counsel for Labor-Management and
Civil Rights Enforcement
U.S. Department of Labor
Office of the Solicitor
200 Constitution Avenue, NW
Room N-2474
Washington, D.C. 20210
(202) 693-5759 (Telephone)
Lupardo.Jeffrey@dol.gov

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Attachments

cc: Lisa Barnett Sween, Esq.
Amelia Sanchez-Moran, Esq.
Antonio Raimundo, Esq.
Matthew Camardella, Esq.
Daniel Duff, Esq.

UNITED STATES DEPARTMENT OF LABOR
ADMINISTRATIVE REVIEW BOARD

OFFICE OF FEDERAL CONTRACT)
COMPLIANCE PROGRAMS, UNITED)
STATES DEPARTMENT OF LABOR,)
)
Plaintiff-Appellant,) ARB Case No. 17-059
)
)
v.) ALJ Case No. 2017-OFC-004
)
GOOGLE, INC.,)
)
Defendant-Appellee.)

MOTION FOR VOLUNTARY DISMISSAL OF APPEAL

Consistent with Federal Rule of Appellate Procedure 42(b), Plaintiff-Appellant, United States Department of Labor, Office of Federal Contract Compliance Programs (OFCCP), hereby respectfully moves this Court for voluntary dismissal of its appeal in the above-captioned matter, with each party to bear its own costs. Plaintiff-Appellant has attached a Proposed Order.

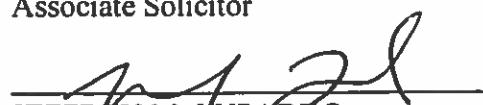
After careful consideration, OFCCP has decided to enforce Administrative Law Judge Berlin's July 14, 2017 Recommended Decision and Order and complete its compliance review on the merits consistent with the terms of its newly-issued policy directives on transparency and Predetermination Notices. OFCCP views this as the most effective means of reaching final resolution with Google.

Counsel for Plaintiff-Appellant has conferred with counsels for Defendant-Appellee and they are aware of this filing.

Respectfully submitted,

KATE S. O'SCANNLAIN
Solicitor of Labor

BEVERLY I. DANKOWITZ
Associate Solicitor


JEFFREY M. LUPARDO
Counsel for Labor-Management and
Civil Rights Enforcement
U.S. Department of Labor
Office of the Solicitor
200 Constitution Avenue, NW
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)
 GOOGLE, INC.,)
)
 Defendant-Appellee.)

**[PROPOSED] ORDER GRANTING PLAINTIFF-APPELLANT'S
MOTION TO DISMISS APPEAL**

The Board, having considered Plaintiff-Appellant's Motion for Voluntary Dismissal of Appeal, hereby GRANTS Plaintiff-Appellant's Motion and dismisses the appeal in this case.

The Board hereby ORDERS that Plaintiff-Appellant and Defendant-Appellee comply with the terms of Administrative Law Judge Steven B. Berlin's July 14, 2017 Recommended Decision and Order, with the time periods set out in the Recommended Order to run from the date of issuance of this Order.

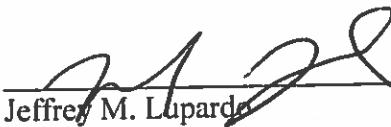
DATED:

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 2019, the foregoing Motion for Voluntary Dismissal of Appeal and Proposed Order were served by first class mail upon:

Lisa Barnett Sween, Esq.
Antonio C. Raimundo, Esq.
Amelia Sanchez-Moran, Esq
Jackson Lewis P.C.
50 California Street, Floor 9
San Francisco, CA 94111

Matthew J. Camardella, Esq
Daniel V. Duff, Esq
Jackson Lewis P.C.
58 South Service Road
Suite 250
Melville, NY 11747



Jeffrey M. Lupardo
Counsel for Labor-Management and
Civil Rights Enforcement
U.S. Department of Labor
Office of the Solicitor
200 Constitution Avenue, NW
Room N-2474
Washington, D.C. 20210
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